

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of
Numbering Resource Optimization

CC Docket No. 99-200

BELLSOUTH COMMENTS

BELLSOUTH CORPORATION

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EXECUTIVE SUMMARY

BellSouth appreciates the Commission's efforts to move toward the implementation of nationwide thousands-block number pooling by developing a national rollout schedule. However, BellSouth has some serious concerns about the tentative schedule and proposes several modifications in order to better ensure the safety and reliability of the Public Switched Telephone Network ("PSTN") as well as to establish a fair, orderly, and efficient pooling process that does not overburden state commissions, carriers, or the North American Numbering Plan Administrator ("NANPA").

First, BellSouth urges the Commission to modify its proposed schedule to comply with the previous rule limiting pooling to no more than three NPAs per NPAC region per quarter. The tentative schedule is overly aggressive and poses an increased risk to carrier networks and service reliability without significant countervailing benefits. The Commission can always revisit the schedule and the implementation rate at a later date. If the Commission later concludes that the NANPA and carriers can accommodate additional NPAs per quarter, it can propose adjustments to the schedule and seek public comment. Until the NANPA, carriers, and the Commission become more experienced with pooling on such a large scale, the Commission should retain the schedule of no more than three NPAs per NPAC region per quarter.

Second, the Commission should refrain from dictating the milestone schedules. Such decisions should be left to the discretion of the carriers and the Pooling Administrator as expressly contemplated by the Industry Numbering Committee ("INC") Thousands-Block Number Pooling Guidelines. These entities are in the best position to determine the appropriate deadlines. The time intervals between the various milestones

depend upon circumstances unique to a particular NPA and the participating carriers. Developing milestone dates in the absence of industry input therefore is arbitrary and unreasonable. Accordingly, rather than defining the milestones itself, the Commission should allow carriers and the Pooling Administrator to develop the appropriate deadlines as set forth in the INC Guidelines.

Third, the proposed schedule contains some inaccurate and misleading MSA information that is confusing and must be corrected. For example, some of the NPAs do not correspond to appropriate MSAs. As a result, it is sometimes unclear what the Commission's intentions are regarding pooling. The Commission must clarify these and any similar inconsistencies.

Fourth, the Commission should promptly develop a federal cost recovery mechanism. Specifically, the Commission should allow incumbent local exchange carriers ("ILECs") to recover their carrier-specific pooling costs directly related to implementing pooling either by extending the duration of the existing number portability tariff or by increasing the current number portability surcharge. These solutions are advantageous because they can be implemented easily through a simple tariff revision and would lead to less customer confusion than the introduction of a new charge.

Finally, BellSouth recommends a number of changes to the proposed schedule to address pooling in the states within its region. BellSouth's suggestions seek to ensure fairness, promote number conservation, balance workload, and avoid imposing unnecessary burdens and costs on carriers and the NANPA.

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BellSouth Corporation, by counsel and on behalf of itself and its wholly-owned subsidiaries (“BellSouth”), respectfully submits its comments on the national thousands-block number pooling schedule released by the Commission in a *Public Notice* dated October 17, 2001 in the above-captioned proceeding.¹

BellSouth appreciates the opportunity to comment on the proposed schedule. As discussed more fully below, BellSouth has some serious concerns about the tentative schedule and proposes several modifications in order to better ensure the safety and reliability of the Public Switched Telephone Network (“PSTN”) as well as to establish a fair, orderly, and efficient pooling process that does not overburden state commissions, carriers, or the North American Numbering Plan Administrator (“NANPA”).

I. THE PROPOSED NATIONAL SCHEDULE IS FAR TOO AGGRESSIVE AND COMPLETELY IGNORES THE COMMISSION’S PREVIOUS SCHEDULE OF THREE NPAS PER NPAC REGION PER QUARTER.

BellSouth urges the Commission to modify the proposed national deployment schedule to bring it in line with its previous decision to confine the rollout of pooling to

¹ *The Common Carrier Bureau Seeks Comment on the National Thousands-Block Number Pooling Rollout Schedule*, CC Docket No. 99-200, *Public Notice*, DA 01-2419 (rel. Oct.17, 2001) (“*Public Notice*”).

three NPAs per NPAC region per quarter.² The schedule set forth in the *Public Notice* is overly aggressive and completely dismisses the Commission's prior ruling. In BellSouth's territory alone, of the eight quarters listed in the proposed schedule, all but one exceed the existing conversion schedule of three NPAs per NPAC region per quarter. The Commission's tentative schedule would require BellSouth to implement pooling as follows:

1. 6 NPAs in the 1st quarter;
2. 4 NPAs in the 2nd quarter;
3. 4 NPAs in the 3rd quarter;
4. 5 NPAs in the 4th quarter;
5. 5 NPAs in the 5th quarter;
6. 5 NPAs in the 6th quarter;
7. 10 NPAs in the 7th quarter;
8. 1 NPA in the 8th quarter.

Clearly, this schedule ignores the Commission's previous decision to limit pooling to three NPAs per NPAC region per quarter. In fact, the proposed schedule is inconsistent with the very *Public Notice* with which it was released. The *Public Notice* states that "[s]tarting March 2002, number pools will be established in *approximately 21 numbering plan areas (NPAs) each quarter . . .*"³ Of the eight quarters listed in the tentative schedule, only two provide for pooling in 21 NPAs or less. Moreover, those two quarters are the seventh and eighth quarters (21 NPAs and 1 NPA respectively). Thus, the tentative schedule is unevenly balanced with the bulk of the workload skewed toward the initial quarters. The quarter containing the most NPAs scheduled for pooling (30 NPAs) is the very first quarter of the national rollout.

² See *Numbering Resource Optimization*, CC Docket No. 99-200, *Report and Order and Further Notice of Proposed Rulemaking*, 15 FCC Rcd 7574, 7646, ¶ 159 (2000) ("*First NRO Order*" and "*First FNPRM*").

³ *Public Notice* at 1 (emphasis added).

This approach completely undermines the Commission’s prior concern for protecting the integrity and reliability of the PSTN as well as conflicts with typical procedures when deploying a new capability on a large scale. In the *First NRO Order*, the Commission wisely considered the potential effects on carrier networks when it adopted a staggered pooling rollout schedule. The Commission expressly found “that a staggered rollout schedule is necessary, primarily because an overload of the telecommunications network may cause network disruptions when carriers’ Service Control Points (SCPs) capacity has been depleted.”⁴ The Commission further concluded “that the rollout should encompass *a maximum of three NPAs per NPAC region per quarter*.”⁵ In adopting this implementation plan, the Commission stated “that confining the rollout of pooling to three NPAs per NPAC region per quarter will ensure that our rollout schedule does not strain resources of the national thousands-block number Pooling Administrator and is undertaken smoothly” and “will provide carriers time to upgrade or replace their SCPs and other components of their network, as necessary”⁶ Clearly, these were – and continue to be – important concerns that cannot be dismissed lightly.

Moreover, when deploying a new capability on a large scale, carriers typically limit the initial rollout in order to avoid or minimize risks to the network. Once the carrier becomes more experienced with the implementation process and has had an opportunity to work out any bugs, it may increase the workload during the later stages of

⁴ *First NRO Order*, 15 FCC Rcd at 7645-46, ¶ 159.

⁵ *Id.* at 7646, ¶ 159 (emphasis added).

⁶ *Id.*

deployment. The Commission proposes the exact opposite approach here with no valid justification.

As pointed out above, in the first quarter alone (March 15, 2002 – June 15, 2002), the proposed schedule requires the implementation of pooling in 30 NPAs. This schedule is problematic for a number of reasons. First, such an aggressive schedule completely ignores the fact that 30 NPAs have never been pooled in a single quarter to date. Second, carriers have developed costs, deployment plans, and staffing requirements based on the previously announced schedule of three NPAs per NPAC region per quarter. If the Commission retains the proposed schedule, BellSouth's pooling cost will increase significantly. It is important to note that the cost study recently submitted by BellSouth was based on a schedule of three NPAs per NPAC region per quarter.⁷ Therefore, these costs do not reflect the Commission's accelerated schedule. Finally, the proposed rollout could lead to overwhelming demand for equipment and software necessary to implement pooling. There is no guarantee that vendors are prepared to meet such demand. Thus, an overly aggressive rollout schedule not only poses an increased risk to carrier networks and service integrity, but also places additional strain on the NANPA and carriers without significant countervailing benefits.

BellSouth understands the Commission's desire to implement national pooling as quickly as possible and will continue to do its part. However, nationwide pooling is a massive undertaking that must be accomplished in a reasonable, efficient, and balanced manner. Trying to rush this process will do more harm than good. Therefore, it

⁷ Written *Ex Parte*, Letter from Kathleen B. Levitz, Vice President, Federal Regulatory, BellSouth, Re: CC Docket Nos. 99-200 and 96-98, to Magalie Roman Salas, Secretary, FCC, at 1 and Attachment A (June 20, 2001) ("BellSouth Cost Study").

behooves all interested parties to work together to develop a deployment schedule that is not only reasonable, fair, and time-sensitive, but also will protect carrier networks and ensure continued and reliable service to the public.⁸

In light of the foregoing, BellSouth urges the Commission to modify its proposed schedule to comply with the previous rule limiting pooling to no more than three NPAs per NPAC region per quarter. The Commission can always revisit the schedule and the implementation rate later. If the Commission later concludes that the NANPA and carriers can accommodate additional NPAs per quarter, it can propose adjustments to the schedule and seek public comment. Until the NANPA, carriers, and the Commission become more experienced with pooling on such a large scale, the Commission should retain the schedule of no more than three NPAs per NPAC region per quarter.

II. THE PROPOSED SCHEDULE FOR THE POOLING MILESTONES IS OVERLY AGGRESSIVE AND COMPLETELY IGNORES THE EXISTING POOLING GUIDELINES.

In addition to the concerns expressed above regarding the number of NPAs scheduled for pooling per quarter, BellSouth also has serious reservations regarding the schedule of milestones for the first quarter rollout (March 15, 2002 – June 15, 2002).⁹

The proposed schedule not only is needlessly aggressive but also conflicts directly with the Industry Numbering Committee (“INC”) Guidelines for Thousands-Block Number

⁸ In establishing the final rollout schedule, BellSouth urges the Commission to allow carriers to defer equipping end offices with pooling software if these offices are scheduled for replacement soon after pooling is planned. It is inefficient and uneconomical to require carriers to incur costs to deploy pooling in certain end offices and then spend additional funds to replace these offices soon thereafter. In these situations, the Commission should allow flexibility in order to minimize wasting scarce resources.

⁹ See *Public Notice*, Attachment A.

Pooling (“INC Guidelines”).¹⁰ The industry together with the Pooling Administrator devoted significant time and effort in developing these guidelines. These entities properly considered the issues and established reasonable processes and procedures in light of the Commission’s number pooling requirements. Therefore, the Commission should not arbitrarily disregard these guidelines.

The Pooling Administrator and the industry should develop the milestones, not the Commission. The INC Guidelines specifically state that the “[Pooling Administrator] and participating [service providers] determine the dates of the milestones These dates should be based on the directives provided by the regulatory body and input from participating [service providers].”¹¹ The milestone dates are developed at the first implementation meeting with input from the industry.¹² In addition, agreed-upon time intervals are established between the various milestones. For example, according to the INC Guidelines:

The time interval from when [service providers] protect thousands-block (Block Protection Date) to when they identify thousands-blocks for donation to the [Pooling Administrator] (Block Donation Identification Date) requires considerable verification work by the [service providers] so that all available TNs are identified (see Section 7.2.6). The length of this interval should depend upon the quantity of contaminated thousands-blocks to be donated.¹³

In addition, the guidelines state that: the “normal interval between the [Pooling Administrator] Assessment of Industry Inventory Surplus/Deficiency Date and the Block

¹⁰ See Industry Numbering Committee, Thousands-Block Number (NXX-X) Pooling Administration Guidelines, INC 99-0127-023 (Sept. 24, 2001) (“INC Guidelines”).

¹¹ INC Guidelines, Section 7.1 (at page 21).

¹² *Id.*, Section 7.2.2 (at page 23).

¹³ *Id.*, Section 7.2.4 (at page 24).

Donation Date is 66 calendar days¹⁴ Clearly, the INC Guidelines contemplate reasonable intervals between the various milestones.

The Commission's proposed milestone schedule, however, is significantly compressed and completely ignores the intervals set forth in the INC Guidelines. For example, although the guidelines indicate that the typical interval between the Pooling Administrator Assessment Date and the Block Donation Date is 66 calendar days,¹⁵ the proposed milestone schedule only allows a little over a month between these two intervals – a much shorter time frame than contemplated by the INC Guidelines.¹⁶

In addition, in all but one state (Vermont), the Commission proposes that the forecast date, the block protection date, and the block donation identification date all occur on the same date in the particular state. In Georgia, the unreasonableness of this schedule is clearly demonstrated. Not only are these milestone dates scheduled to occur on the same day (February 18, 2002), but the Commission also is proposing the same milestone date for three separate NPAs in Georgia. In other words, according to the tentative schedule, BellSouth would have to prepare a forecast report, protect blocks, and provide block donation identification information to the Pooling Administrator on the same day, not just for one NPA, but for three different NPAs.¹⁷ BellSouth cannot possibly satisfy this proposed milestone schedule based on the Commission's tentative deadlines.

¹⁴ *Id.*, Section 7.2.6 (at page 26).

¹⁵ *Id.*, Section 7.2.6 (at page 26).

¹⁶ *See Public Notice*, Attachment A.

¹⁷ *Id.*

BellSouth submits that if the first implementation meeting in Georgia were to occur sooner, BellSouth and the Pooling Administrator would be better able to determine what could be accomplished and in what time frames. If the first implementation meeting does not occur until January 18, 2002 for all three NPAs (as currently scheduled), BellSouth will not be able to meet the milestone dates set forth in the *Public Notice*. Therefore, BellSouth recommends that the first implementation meetings be scheduled as soon as possible after the national schedule is finalized. However, if the national schedule is not finalized in a timely manner to avoid condensed milestone dates, BellSouth proposes that the Commission consider a modest extension of the national rollout. This approach will avoid developing a compressed milestone schedule that carriers simply cannot meet.

In addition to the difficulties associated with simultaneous milestone dates discussed above, the Commission's proposed schedule typically allows only a three-day interval between each state's pooling milestones. For example, the tentative pool start dates are as follows:

1. Washington, DC – April 2, 2002
2. California – April 5, 2002
3. New Mexico – April 8, 2002
4. Missouri – April 12, 2002
5. Georgia – April 15, 2002
6. Ohio – April 19, 2002
7. Rhode Island – April 26, 2002
8. Virginia – April 29, 2002
9. California – April 30, 2002,
10. Washington – May 2, 2002¹⁸

¹⁸ *Id.*

Although this is only a partial list, the proposed pooling efforts across the nation are back-to-back. This approach places a tremendous burden on carriers as well as the NANPA and completely ignores the tremendous strain on already-scarce resources.¹⁹

BellSouth therefore urges the Commission to refrain from dictating the milestone schedules. Such decisions should be left to the discretion of the carriers and the Pooling Administrator as expressly contemplated by the INC Guidelines. These entities are in the best position to determine the appropriate deadlines. The time intervals between the various milestones depend upon circumstances unique to a particular NPA and the participating carriers. For example, as stated above, the length of time between the block protection date and the block identification date “depend[s] upon the quantity of contaminated thousands-blocks to be donated.”²⁰ Thus, this interval will vary across NPAs.

Establishing uniform milestone dates for every NPA ignores significant differences that exist across NPAs, such as the number of pooling-capable carriers, the number of rate centers, the number of switches, and the number of contaminated and uncontaminated blocks. Developing milestone dates in the absence of industry input therefore is arbitrary and unreasonable. Accordingly, BellSouth urges the Commission to refrain from adopting a milestone schedule and instead allow carriers and the Pooling Administrator to develop the appropriate deadlines as set forth in the INC Guidelines.

¹⁹ Carriers have a number of competing regulatory mandates that have overlapping deadlines (*e.g.*, number pooling, local number portability, CALEA, E911, etc.).

²⁰ INC Guidelines, Section 7.2.4 (at page 24).

III. THE PROPOSED SCHEDULE INCLUDES INCORRECT AND MISLEADING INFORMATION.

The proposed schedule contains some inaccurate MSA information that is confusing and should be corrected. For example, the *Public Notice* lists the 423 NPA (scheduled for pooling in the third quarter) as part of the Knoxville, TN MSA. However, the 423 NPA is not part of the Knoxville MSA.²¹ Rather, the 423 NPA encompasses the Chattanooga MSA, the Tri-Cities MSA (Sprint/United serving area), and several rural rate centers outside both of the Chattanooga and Tri-Cities MSA.²²

Another apparent error involves the 601 NPA. The *Public Notice* lists the Hattiesburg, MS MSA as the qualifying MSA for the 601 NPA.²³ Although the 601 NPA encompasses the Hattiesburg MSA, the 601 NPA also includes the Jackson MSA. While the Jackson MSA is the 96th largest MSA in the United States, the Hattiesburg MSA is ranked 250th.²⁴ Notwithstanding its inclusion in the top 100 MSAs, the Jackson MSA is not listed anywhere on the proposed schedule. BellSouth therefore assumes that the Commission may have erred when it listed the Hattiesburg MSA as the qualifying MSA for the 601 NPA. Given that the Jackson MSA is one of the top 100 MSAs and the Hattiesburg MSA is not, it makes more sense to implement pooling in the Jackson MSA.

²¹ See Map of Tennessee Area Codes (located at <http://www.state.tn.us/tra/consumerfiles/acmap.pdf>). The Knoxville MSA includes the counties of Anderson, Blount, Knox, Loudon, Sevier, and Union – all of which are outside the 423 NPA. Metropolitan Areas 1999 (Lists I-IV), Statistical Policy Office, Office of Management and Budget, Attachments to OMB Bulletin No. 99-04 (<http://www.whitehouse.gov/omb/inforeg/msa-bull99-04.html>).

²² *Id.*

²³ *Public Notice*, Attachment A.

²⁴ United States Census 2000, Ranking Tables for Metropolitan Areas: Population in 2000 and Population Change from 1990 to 2000 (PHC-T-3), Table 3: Metropolitan Areas Ranked by Population: 2000 (<http://www.census.gov/population/www/cen2000/phc-t3.html>).

Clearly, the Commission must resolve such inconsistencies.

The accuracy of the MSA information included in the national schedule is extremely important. In its *First NRO Order*, the Commission determined “that where an NPA encompasses areas both inside and . . . outside of the qualifying MSA, pooling will be required only in those rate centers in the NPA which are a part of the MSA.”²⁵ Based on this conclusion, pooling in the 423 NPA, for example, should be limited to rate centers within the Chattanooga and Tri-Cities MSAs. However, the *Public Notice* lists the 423 NPA as part of the Knoxville MSA. As stated above, the 423 NPA is not part of the Knoxville MSA. Thus, it is unclear whether the Commission anticipates pooling in the Knoxville MSA or the Chattanooga and Tri-Cities MSAs. In order to eliminate any confusion, the Commission must correct these and any similar discrepancies.

The Commission also should re-affirm its previous finding “that where an NPA encompasses areas both inside and . . . outside of the qualifying MSA, pooling will be required only in those rate centers in the NPA which are a part of the MSA.”²⁶ This determination has a significant impact on the workload and costs associated with the implementation of pooling. For example, the cost study recently submitted by BellSouth was based on the assumption that only those end offices in an NPA that were also within the referenced MSA would be equipped for pooling. Moreover, the BellSouth cost study assumes that pooling will be implemented in the top 100 MSAs first.²⁷

If the Commission were to require pooling in those offices outside the referenced top 100 MSAs, yet still within the relevant NPA, BellSouth’s costs and implementation

²⁵ *First NRO Order*, 15 FCC Rcd at 7645, ¶ 158.

²⁶ *Id.*

²⁷ BellSouth Cost Study at 1 and Attachment A.

time would increase substantially. To illustrate this issue, consider the 850 NPA/Pensacola, FL MSA scheduled for pooling in the seventh quarter. There are only eleven rate centers in the 850 NPA that encompass the Pensacola, FL MSA. According to information reviewed by BellSouth, there are 61 rate centers in the 850 NPA that are outside the Pensacola MSA. Thus, based on the Commission's current rule, only the eleven rate centers in the 850 NPA that are also part of the Pensacola, FL MSA would qualify for pooling.

There may be instances in which state commissions may desire to implement pooling in areas outside the top 100 MSAs. For example, the Florida Public Service Commission may find it valuable to pool in the 61 rate centers in the 850 NPA that are outside the Pensacola, FL MSA. The Commission has developed a procedure to address such situations. The Commission has indicated that "to serve the needs of states outside of the top 100 MSAs which believe that pooling would be beneficial in an NPA within their state, [it] will consider petitions to opt in to the national pooling rollout schedule."²⁸ In rendering a decision, the Commission will consider the space available on the schedule due to any openings created by states opting out, as well as whether the Pooling Administrator can accommodate additional pooling efforts in a particular quarter.²⁹ This process allows a state commission the flexibility necessary to tailor pooling in order to meet the local needs of the state.

BellSouth believes that the most efficient and cost-effective approach is to implement pooling initially in the top 100 MSAs as previously determined by the

²⁸ *First NRO Order*, 15 FCC Rcd at 7648, ¶ 164.

²⁹ *Id.*

Commission. In suburban and rural areas outside the top 100 MSAs, pooling is less likely to generate significant benefits. In addition, many of the areas outside the top 100 MSAs have carriers that cannot participate fully in pooling because they have not yet implemented local number portability in their switches. As a result, BellSouth believes most of the number conservation benefits from pooling will be achieved when pooling is implemented within the rate centers included in the top 100 MSAs. BellSouth therefore requests that the Commission re-affirm its previous position limiting the initial implementation of pooling to those rate centers included in the top 100 MSAs so there is no confusion as the intent of the initial rollout schedule. For areas outside the top 100 MSAs, the Commission should schedule pooling on an as-needed basis.

In sum, to avoid confusion and ensure that nationwide pooling is implemented in an orderly and balanced manner, the Commission must properly identify the NPAs and associated MSAs designated for pooling. In addition, the Commission must re-affirm that carriers are expected to deploy pooling only in those rate centers in an NPA that are also part of the qualifying MSA.

IV. THE COMMISSION SHOULD PROMPTLY ADOPT A NATIONAL COST RECOVERY MECHANISM.

BellSouth urges the Commission to move forward with establishing a national cost recovery mechanism. There is no reason for the Commission to delay this process any further. As the record demonstrates, there is substantial support for the creation of a cost recovery mechanism similar to that established in the number portability proceeding.³⁰ Specifically, the Commission should allow incumbent local exchange

³⁰ See, e.g., BellSouth Comments on *Second Further Notice Proposed Rulemaking* (“*Second FNPRM*”) in CC Docket No. 99-200 at 29 (filed Feb. 14, 2001); Bell Atlantic

carriers (“ILECs”) to recover their carrier-specific pooling costs directly related to implementing pooling either by extending the duration of the existing number portability tariff or by increasing the current number portability surcharge. These solutions are advantageous because they can be implemented easily through a simple tariff revision and would lead to less customer confusion than the introduction of a new charge.

The commencement of the national cost recovery framework should coincide with national pooling. A number of carriers, including BellSouth, have submitted detailed cost studies to assist the Commission with establishing a federal cost recovery mechanism. The lack of action by the state commissions to address cost recovery makes the federal cost recovery mechanism even more critical. Although the Commission has made clear that states are obligated to develop a mechanism that will enable carriers to recover the costs incurred to implement state-mandated pooling,³¹ progress by the states in this area has moved slowly and, in some instances, not at all. The result is that carriers, including BellSouth, are incurring substantial costs to implement pooling due to state commission mandates, yet they have no way to recover these costs. Now that the Commission is proceeding with the national pooling schedule, it should turn its attention to developing a national cost recovery scheme.

Further Comments on *First FNPRM* at 6-7 (filed May 19, 2000); BellSouth Comments on *First FNPRM* at 18-19 (filed May 19, 2000); Sprint Comments on *First FNPRM* at 18-19 (filed May 19, 2000).

³¹ *First NRO Order*, 15 FCC Rcd at 7652, ¶ 171.

V. BELLSOUTH RECOMMENDS SPECIFIC CHANGES TO THE PROPOSED SCHEDULE TO ADDRESS STATE AND CARRIER CONCERNS.

BellSouth recommends a number of specific changes to the proposed pooling schedule to help ensure fairness, promote number conservation, and avoid imposing unnecessary burdens and costs on carriers and the NANPA. BellSouth sets forth below its suggestions and concerns for specific states within its nine-state territory.

1. Tennessee

The Tennessee Regulatory Authority (“TRA”) received delegated authority to implement pooling in the 901 and 615 NPAs prior to the development of the national schedule.³² Therefore, the national pooling schedule does not include these two NPAs. Although the trials were initially scheduled to begin in the 615 and 901 NPAs earlier this year, the TRA mandated that pooling commence “upon the availability of version 3.0 pooling software.”³³ However, due to technical problems associated with the initial deployment of this software, its wide-scale release has been delayed.

The Commission’s proposed schedule lists the 865 NPA/Knoxville, TN MSA for pooling in the second quarter (June 15, 2002 – Sept. 15, 2002) and the 423 NPA/Knoxville, TN MSA for pooling in the third quarter (Sept. 15, 2002 – Dec. 15, 2002). BellSouth and the industry are presently working with the TRA in an attempt to

³² *Numbering Resource Optimization, et al.*, CC Docket Nos. 99-200, *et al.*, Order, 15 FCC Rcd 23371, 23392, ¶ 47 (2000) (granting authority to implement pooling in the 901 NPA); *Numbering Resource Optimization, et al.*, CC Docket Nos. 99-200, *et al.*, Order, 16 FCC Rcd 5474, 5488, ¶ 31 (2001) (granting authority to implement pooling in the 615 NPA).

³³ *In re: Telephone Number Pooling*, Docket No. 00-00851, *Order Implementing 1000 Number-Block Pooling in the 615 and 901 Area Codes*, 2000 Tenn. PUC LEXIS 470 (Tenn. Reg. Auth. Dec. 12, 2000).

establish a pooling implementation date for the 615 NPA during first quarter 2002 prior to the nationwide rollout. If, however, pooling in the 615 NPA cannot be achieved before the national rollout commences, BellSouth recommends replacing the 865 NPA with the 615 NPA such that pooling would commence in the 615 NPA in the second quarter (June 15, 2002 – Sept. 15, 2002) or, in the alternative, scheduling the 615 NPA as soon as possible after the second quarter. BellSouth proposes this change because the 865 NPA is not projected to exhaust until 2014;³⁴ therefore, it is less critical that the 865 NPA be slotted for pooling so early in the schedule.

Moreover, substituting the 615 NPA is consistent with the Commission's standards for including an NPA in the national schedule. The Commission established the following three categories for placing an NPA on the initial rollout schedule: (1) NPAs that were initially pooled or scheduled to be pooled pursuant to delegated authority to state commissions; (2) jeopardy NPAs in the largest 100 MSAs; and (3) new NPAs.³⁵ Since the 615 NPA was scheduled for pooling pursuant to delegated authority granted to the TRA, it falls under category 1. Therefore, if pooling in the 615 NPA does not occur prior to the commencement of nationwide pooling, it is reasonable to replace the 865 NPA with the 615 NPA.

BellSouth also recommends removing the 423 NPA/Knoxville MSA (scheduled for the third quarter) and the 931 NPA/Clarksville-Hopkinsville, TN-KY MSA (scheduled for the seventh quarter) from the national schedule at this time. The 423 NPA

³⁴ 2001 NRUF and NPA Exhaust Analysis (June 1, 2001 Update) (located at <http://docs.nanpa.com/pdf/NRUF/nruf061501results.pdf>).

³⁵ *First NRO Order*, 15 FCC Rcd at 7647, ¶ 161.

is not expected to reach exhaust until 2005,³⁶ and the 931 NPA is not projected to exhaust until 2009.³⁷ BellSouth also urges the TRA to continue to defer pooling in the 901 NPA, which is not projected to exhaust until 2006. The most efficient course of action is to schedule the 423, 865, 901, and 931 NPAs as necessary, depending upon the exhaust dates for other NPAs in the Southeast region and with the objective of balancing workload.

BellSouth again calls the Commission's attention to some misleading and confusing MSA information. The 931 NPA encompasses portions of Tennessee. Specifically, the 931 NPA encompasses all of middle Tennessee outside of the 615 NPA/Nashville area.³⁸ Clarksville, TN is one of several similarly sized cities in the 931 NPA, including Columbia, Shelbyville, and Cookeville. Hopkinsville is completely within Kentucky and included in the 270 NPA.³⁹ Therefore, Clarksville, TN and Hopkinsville, KY are two distinct cities located within different states and within different NPAs. It is unclear exactly where the Commission intended to schedule pooling in this instance.

2. Mississippi

The *Public Notice* sets forth the following tentative pooling schedule:

- 662 NPA/Memphis, TN MSA – 5th quarter (March 15, 2003 – June 15, 2003)

³⁶ 2001 NPA Exhaust Analysis, Changes as of November 5, 2001 (located at <http://docs.nanpa.com/pdf/NRUF/deltanruf011105.pdf>).

³⁷ 2001 NRUF and NPA Exhaust Analysis (June 2001 Update) (located at <http://docs.nanpa.com/pdf/NRUF/nruf061501results.pdf>).

³⁸ Map of Tennessee Area Codes (located at <http://www.state.tn.us/tra/consumerfiles/acmap.pdf>).

³⁹ Map of Kentucky Area Codes (Kentucky Public Service Commission, Aug. 11, 1999) (located at <http://www.psc.state.ky.us/agencies/psc/images/606area.pdf>).

- 601 NPA/Hattiesburg, MS MSA – 6th quarter (June 15, 2003 – Sept. 15, 2003)
- 228 NPA/Biloxi-Gulfport-Pascagoula, MS MSA – 6th quarter (June 15, 2003 – Sept. 15, 2003)

BellSouth recommends the following changes:

- Maintain the current schedule for the 662 NPA – 5th Quarter (March 15, 2003 – June 15, 2003)
- Maintain the current schedule for the 601 NPA – 6th quarter (June 15, 2003 – Sept. 15, 2003)
- Move the 228 NPA from the 6th to the 8th quarter

BellSouth proposes a later pooling date for the 228 NPA in order to achieve a more balanced schedule. The proposed schedule has only one NPA scheduled for pooling in the eighth quarter. The tentative schedule requires BellSouth to implement pooling in five NPAs in the sixth quarter. Slightly postponing pooling in the 228 NPA will not cause any harm, especially given that the 228 NPA is not projected to exhaust until 2015.⁴⁰

BellSouth repeats its earlier request asking the Commission to clarify the ambiguity surrounding the 601 NPA. As detailed in Section III above, the *Public Notice* lists the Hattiesburg, MS MSA as the qualifying MSA for the 601 NPA.⁴¹ Although the 601 NPA encompasses the Hattiesburg MSA, the 601 NPA also includes the Jackson MSA. While the Jackson MSA is the 96th largest MSA in the United States, the Hattiesburg MSA is ranked 250th.⁴² Notwithstanding its inclusion in the top 100 MSAs,

⁴⁰ 2001 NRUF and NPA Exhaust Analysis (June 1, 2001 Update) (located at <http://docs.nanpa.com/pdf/NRUF/nruf061501results.pdf>).

⁴¹ *Public Notice*, Attachment A.

⁴² United States Census 2000, Ranking Tables for Metropolitan Areas: Population in 2000 and Population Change from 1990 to 2000 (PHC-T-3), Table 3: Metropolitan Areas

the Jackson MSA is not listed anywhere on the proposed schedule. BellSouth therefore assumes that the Commission may have erred when it listed the Hattiesburg MSA as the qualifying MSA for the 601 NPA. Given that the Jackson MSA is one of the top 100 MSAs and the Hattiesburg MSA is not, it makes more sense to implement pooling in the Jackson MSA. BellSouth therefore urges the Commission to clarify this and any similar inconsistencies.

3. Kentucky

The misidentification of MSAs is a source of confusion for pooling in the 606 NPA (scheduled for the fifth quarter) as well. The *Public Notice* shows the 606 NPA as part of the Cincinnati, OH MSA. However, the Cincinnati MSA does not include any portion of the 606 NPA.⁴³ Further, the 606 NPA is neither associated with any of the top 100 MSAs nor is it in jeopardy. The NPAs associated with the Cincinnati MSA are 513 and 283 in Ohio and 859 in Kentucky.⁴⁴ Thus, it is unclear what the Commission's intentions are regarding pooling in Kentucky. Did the Commission err when it included the 606 NPA in the national schedule? Did the Commission intend to schedule a different NPA in the Cincinnati MSA for pooling? The Commission must clarify this ambiguity before carriers can proceed with nationwide pooling.

BellSouth also proposes that the Commission simply switch the 270 and 502 NPAs scheduled for pooling in Kentucky based on projected exhaust dates. The

Ranked by Population: 2000 (<http://www.census.gov/population/www/cen2000/phc-t3.html>).

⁴³ Map of Kentucky Area Codes (Kentucky Public Service Commission, Aug. 11, 1999) (located at <http://www.psc.state.ky.us/agencies/psc/images/606area.pdf>); Metropolitan Areas 1999 (Lists I-IV), Statistical Policy Office, Office of Management and Budget, Attachments to OMB Bulletin No. 99-04 (<http://www.whitehouse.gov/omb/inforeg/msa-bull99-04.html>).

⁴⁴ *Id.*

Commission should move the 270 NPA, currently scheduled for pooling in the seventh quarter (Sept. 15, 2003 – Dec. 15, 2003), earlier in the schedule to the fourth quarter slot for the 502 NPA (Dec. 15, 2002 – Mar. 15, 2003). BellSouth recommends this substitution because the 270 NPA has an earlier projected exhaust date (2nd Qtr. 2003) than the 502 NPA (1st Qtr. 2005).⁴⁵

4. Georgia

The Commission has scheduled simultaneous pooling efforts in the 404, 678, and 770 NPAs in Georgia for the initial quarter (March 15, 2003 – June 15, 2002). In addition, proposed schedule requires pooling in an additional 3 NPAs in BellSouth's region for a total of six NPAs in a single quarter in direct conflict with the previous limit of three NPAs per NPAC region per quarter.

As demonstrated in Section II above, BellSouth cannot meet this proposed schedule in Georgia due to the Commission's proposed milestone dates. There is simply not enough time to prepare for these simultaneous pooling efforts. Here again is another example of why the Commission should not define the milestone dates. As discussed above, development of the milestone schedules should be left to the Pooling Administrator and the participating carriers as required by the INC Guidelines. They are in the best position to assess the unique circumstances of the local area and to identify the work required to deploy pooling in a particular NPA.

As BellSouth previously suggested, if the first implementation meeting in Georgia were to occur sooner, BellSouth and the Pooling Administrator would be better able to determine what could be accomplished and in what time frames. However, if the first

⁴⁵ 2001 NRUF and NPA Exhaust Analysis (June 1, 2001 Update) (located at <http://docs.nanpa.com/pdf/NRUF/nruf061501results.pdf>).

implementation meeting does not occur until January 18, 2002 for all three NPAs, BellSouth will not be able to meet the milestone dates set forth in the *Public Notice*. Therefore, the first implementation meetings should be scheduled as soon as possible after the national schedule is finalized. However, if the national schedule is not finalized in a timely manner thereby resulting in excessively condensed milestone dates, BellSouth proposes that the Commission consider a modest extension of the national rollout, rather than maintaining a compressed schedule that carriers simply cannot meet.

VI. CONCLUSION

BellSouth appreciates the Commission's efforts to move forward with developing the national pooling schedule. However, BellSouth has a number of concerns regarding the aggressive pace of the proposed deployment, the condensed milestone schedule, the number of data inaccuracies, and the lack of a federal cost recovery mechanism. Given the immense scale of nationwide pooling and the potential risks to the network and the delivery of service to the public, BellSouth cautions the Commission against rushing to a final decision without proper consideration of the issues. To best ensure that national pooling is implemented in manner that is fair, efficient, and economical as well as minimizes the risk to the network and customers, BellSouth urges the Commission to take the actions requested herein.

Respectfully submitted,

BELLSOUTH CORPORATION

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Date: November 6, 2001

CERTIFICATE OF SERVICE

I do hereby certify that I have this 6th day of November 2001 served the following parties to this action with a copy of the foregoing **BELLSOUTH COMMENTS** by electronic filing and/or by placing a true and correct copy of the same in the United States Mail, postage prepaid, addressed to the parties listed below.

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+ **VIA ELECTRONIC FILING**